



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration  
Washington DC 20204

Richard John Fife  
8171 Valley Vista Dr.  
Hereford, AZ 85615

5190 '99 APR 12 A9:55

re: Docket No.98P-0680/CP 1

Dear Mr. Fife:

This refers to your citizen petition, dated August 5, 1998, and filed August 11, 1998, requesting that we amend our regulations in 21 CFR 1240.62 regarding the sale and distribution of turtles and viable turtle eggs.

The requested action would provide an exception to allow adults 18 years or older to distribute and sell live turtles and viable turtle eggs (but not including *Trachemys scripta elegans*, red-eared slider). It would also require such individuals to post a warning that such turtles are not intended as pets for children and cannot be sold to minors under the age of 18 years old.

In accordance with 21 CFR 10.30(e)(2), this letter is to advise you that we have not been able to reach a decision on your petition within the first 180 days of its receipt because of other Agency priorities and the limited availability of resources.

Sincerely yours,

Raymond K. Hedblad  
Acting Director  
Office of Field Programs  
Center for Food Safety  
and Applied Nutrition

98P-0680

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Page 2 - Mr. Richard Fife

cc:

HF-1(2)

HF-2

HF-26

HF-40

HFA-224

HFA-305

HFS-001

HFS-003

HFS-004

HFS-024 (CFSAN Seq. No. 4968)

HFS-600

HFS-605

HFS-607